



Norman H. Bangertter
Governor
Dee C. Hansen
Executive Director
Timothy H. Provan
Division Director

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

1596 West North Temple
Salt Lake City, Utah 84116-3195
801-533-9333
801-533-7073 Fax

ATTACHMENT "A"

RECEIVED

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DIVISION OF
OIL GAS & MINING

March 20, 1991

Dr. Dianne R. Nielson, Director
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Dianne:

The Division has reviewed the updated plans for Genwal Coal Company's Crandall Canyon Mine. Contents of these recent changes have not addressed the Division's concerns outlined in a letter dated December 6, 1990. We would like to see a mine plan amendment that addresses the concerns as listed below.

The mine plan accurately identifies the presence of a golden eagle nest (nest No. 181.167) in Crandall Canyon. As stated, the nest was inactive from 1982 through 1987 after producing one young in 1980. Continued observations of golden eagles in the area leave open the distinct possibility that nesting may occur in the future. The mine plan states that monitoring and mitigation measures will be implemented when eagles are observed at the nesting site (Section 10.3.3, page 10-3, and Section 12.4.3, page 12-15). This position needs to be modified. Regardless of whether or not the birds are present in a given year, the nest is considered of critical value. Potential impacts to the nest itself must be considered. When eagles are present, the crucial breeding season (February 1 - July 15) is also of importance.

The "Vegetation and Terrestrial Wildlife Report" included in Section 10-3 should be corrected as follows: The Williamson's sapsucker (page 46), a species having high federal interest, has been documented to utilize (nest) the environs of the Huntington drainage typical to those found in the Crandall Canyon. This use needs to be identified.

State protected species of Crandall and Huntington Canyons are listed on page 49. All amphibian and reptilian species are protected in Utah. This list identifies the tiger salamander as the only protected amphibian species present. The entire list from Table 5 (page 55) should occur here. In addition, there are protected reptilian species that may inhabit the area. Note: Snake dens, if found, should be protected and reported to DWR.

Crandall Creek is classified as a Class III B trout fishery. As


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such, water quality is important for the maintenance of healthy, naturally-reproducing populations. Turbidity, as measured in Nephelometric Turbidity Units (NTU), must not be allowed to increase beyond 10% of background measurements. This requirement should be indicated in Section 10.6

With reference to the proposed seed mix (Appendix 3-15), we recommend the addition of the following species: hard sheep fescue (Festuca ovina), Indian ricegrass (Oryzopsis hymenoides), Palmer penstemon (Penstemon palmeri), Rocky Mountain penstemon (Penstemon strictus), Porter licoriceroot (Ligusticum porteri), and mountain big sagebrush (Artemesia tridentata vaseyana). The sagebrush species should not be covered. It should be hydrosprayed in the seed mix slurry or broadcast over the surface before drilling or mulching. Application rates of broadcasted seed should be doubled.

Thank you for the opportunity to provide comment.

Sincerely,



Timothy H. Provan
Director

cc: Daron Haddock